

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
AUSTIN DIVISION**

**UCHECHI AMUNEKE-NZE a/k/a  
ESTHER,  
*Plaintiff***

v.

**KELLY CRAIN and MARK TICER,  
*Defendants***

Case No. 1:23-CV-00337-RP-SH

## **ORDER**

Now before the Court are Plaintiff's Original Complaint, filed March 28, 2023 (Dkt. 1), and Plaintiff's Response to the Court's Order for a More Definite Statement, filed May 19, 2023 (Dkt. 6). The District Court referred this case to this Magistrate Judge for Report and Recommendation as to whether the case should be dismissed as frivolous under 28 U.S.C. 1915(e) pursuant to Rule 1 of Appendix C of the Local Rules of the United States District Court for the Western District of Texas and the Court Docket Management Standing Order for United States District Judge Robert Pitman. Dkt. 4.

To determine whether Plaintiff has stated a claim, the Court ordered Plaintiff to submit a More Definite Statement providing facts to support her claim under 42 U.S.C. § 1985. Dkt. 6. On May 19, 2023, Plaintiff filed a response requesting leave to amend her complaint. This is Plaintiff's first request for leave to amend her complaint, which has not yet been served.

The Court **GRANTS** Plaintiff's request for leave to amend. Plaintiff shall file an amended complaint **on or before June 16, 2023**.

Plaintiff, who is proceeding *pro se*, also states that she seeks to combine two cases arising from the same trial court proceedings in her amended complaint. Rule 20 permits a plaintiff to join claims against multiple defendants in one case when (1) the claims arise out of the “same

transaction, occurrence, or series of transactions or occurrences," and (2) there is at least one common question of law or fact. *See also Def. Distributed v. Bruck*, 30 F.4th 414, 432 (5th Cir. 2022).

**SIGNED** on May 30, 2023.



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SUSAN HIGHTOWER  
UNITED STATES MAGISTRATE JUDGE